

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
)	
Junji HOSHIBA <i>et al.</i>)	Art Unit: 3643
)	
Application No.: 10/530,481)	Examiner: David J. PARSLEY
)	
Filing Date: April 6, 2005)	Attorney Ref. No.: MD3015-0031
)	
For: ARTIFICIAL NIPPLE FOR)	Confirmation No.: 5334
EXPERIMENTAL ANIMALS)	

MAIL STOP AF AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AFTER FINAL AMENDMENT TRANSMITTAL

Sir:

- Transmitted herewith is an Amendment and Request for Continued Examination (RCE) responding to the FINAL Office Action dated March 9, 2009, the period for reply to which is extended to expire on July 9, 2009 by a Petition for One Month Extension of Time filed herewith.
- Additional papers enclosed:
 - ☐ Drawings: ☐ Formal Replacement Sheets and corresponding Annotated Sheets
 - ☒ **RCE transmittal**
 - ☐ Form PTO-1449, ___ reference included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 490.00	\$245.00
<input type="checkbox"/> three months	\$1,110.00	\$555.00
<input type="checkbox"/> four months	\$1,730.00	\$865.00
<input type="checkbox"/> five months	\$2,350.00	\$1,175.00

Extension of time fee due with this request: **\$ 130.00**. The Commissioner is hereby authorized by this paper to charge the \$120.00 fee due under 37 C.F.R. §§ 1.17(a) to:

1) Credit Account identified in Web-EFS filing

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for __ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims 37 C.F.R. §1.16(c)	<u>21</u>	minus <u>20</u> =	<u>1</u>	x \$52 each =	+ \$ 52.00
Independent Claims 37 C.F.R. §1.16(b)	<u>4</u>	minus <u>3</u> =	<u>1</u>	x \$220 each =	+ \$ 220.00
Reduction by 1/2 for filing by a small entity					- \$ 0.00
Total Additional Claims Fee =					+ \$ 0.00
RCE Filing Fee =					+ \$810.00
Total Extension of Time Fees =					+\$ 130.00
TOTAL FEES DUE					\$ 1212.00

6. Fee Payment


☒ Please Charge Total Fee of \$ 1212.00 to:

☒ Credit Account identified in Web EFS filing.

The Commissioner is hereby authorized to charge any additional fees that were overlooked above and which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, to Applicant's Representative's Deposit Account as listed in Applicant's original application filing transmittal. The Commissioner is also authorized to credit any overpayment to this same account.

Respectfully submitted,
CERMAK KENEALY & VAIDYA LLP

Dated: July 9, 2009

By:  /djkl/
David J. Kenealy
Reg. No. 40,411

USPTO CUSTOMER NO.: 39083
CERMAK KENEALY VAIDYA & Nakajima LLP
515 East Braddock Rd.
Alexandria, Virginia 22314
(703) 778-6610